



02-15.06

IFW

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/797,990
Filing Date	March 11, 2004
First Named Inventor	Raymond J. Archacki, Jr.
Group Art Unit	2667
Examiner Name	Qureshi, Afsar M.
Attorney Docket Number	210_657

Total Number of Pages in This Submission

5

ENCLOSURES (check all that apply)☐ Fee Transmittal Form☒ Fee Attached☒ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/ Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s)☐ After Allowance Communication to Technology Center (TC)☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)
(please identify below):

Return Mailroom Postcard; and Certificate of Express Mailing

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account No. 03-0835.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm
or
Individual name

Wall Marjama & Bilinski LLP

Dana F. Bigelow

Reg. No. 26,441

Signature

Date

February 14, 2006

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service using the Express Mail Post Office To Addressee service per 37 CFR 1.10 under Express Mail No. EV554213152US addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 14, 2006.

Typed or printed name

Christine M. Holmes

Signature

Date

February 14, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Practitioner's Docket No.: 210_657

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Raymond J. Archacki Jr.

February 14, 2006

Serial No.: 10/797,990

Art Unit: 2667

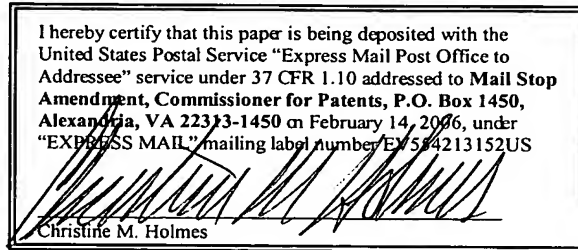
Filed: March 11, 2004

Examiner: Qureshi, Afsar M.

Confirmation No.: 5162

For: METHOD FOR ENHANCING BROADCAST MESSAGE
COMMUNICATIONS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



REQUEST FOR RECONSIDERATION

Sir:

Claims 1, 7-10 and 12 are finally rejected under 35 U.S.C. 102(e) as being anticipated by Harris (U.S. Patent 6,842,461). Claims 15 and 19-20 are finally rejected under 35 U.S.C. 103(a) as being unpatentable over Harris. Claims 2-6, 11, 13-14 and 16-18 are finally rejected under 35 U.S.C. 103(a) as being unpatentable over Harris in view of Sinclair (U.S. Patent Publication 2003/0073461).

In response, the applicants have again reviewed those references and believe that the claims are patentably distinctive thereover for the reasons to be discussed hereinbelow.

The present system is directed to a system wherein information is transmitted in a broadcast message to a number of remote devices. It is anticipated that some of those devices will not receive the message or even recognize that it was transmitted.

In order to identify those remote devices that did not receive the message, there is a two step process. First, those that did receive the message send an acknowledgement message, and then all the rest are presumed to have not received the message and a copy of the broadcast message is sent out to those remote devices by a mode other than broadcasting. Thus, the system does not rely on a negative